

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
No. 2:17-CR-19-D-2  
No. 2:20-CV-55-D

MICHAEL LEVERETTE, )  
Petitioner, ) ORDER  
v. )  
UNITED STATES OF AMERICA, )  
Respondent. )

This matter is before the Court on the parties' joint motion to set a briefing schedule on Petitioner's motion pursuant to 28 U.S.C. § 2255 seeking vacatur of his conviction under 18 U.S.C. § 922(g) based on *Rehaif v. United States*, 139 S. Ct. 2191 (2019). For the reasons set forth in the parties' joint motion, the motion is GRANTED.

It is hereby ORDERED that:

- (a) The stay previously imposed, [D.E. 147], is hereby lifted;
- (b) Counsel for Petitioner shall make every effort to file any withdrawal of Petitioner's *Rehaif*-based Section 2255 petitioner no later than October 6, 2021;
- (c) Respondent's motion to dismiss and supporting memorandum shall be due by November 6, 2021, unless Petitioner's motion is withdrawn before then;
- (d) Petitioner's response, if any, shall be due within twenty-one (21) days of the filing of Respondent's motion to dismiss;

(e) Respondent's reply, if any, shall be due within fourteen (14) days after Petitioner's response.

SO ORDERED, this 13 day of August, 2021.

J. C. Dever  
JAMES C. DEVER III  
United States District Judge